

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

**IN RE:
LETICIA MARTINEZ**

CASE NO: 20-60251 - MMP

DEBTOR

CHAPTER 13

**TRUSTEE'S RESPONSE TO MOTION OF SANDRA BAUMGARDNER FOR RELIEF
FROM STAY AND WAIVER OF THIRTY DAY REQUIREMENT [DOC #62]**

TO THE HONORABLE MICHAEL M. PARKER:

Ray Hendren, Trustee in the above entitled and numbered case, responds as follows:

1. The Trustee admits paragraphs 1-3 of the motion.
2. The Trustee is without sufficient information to admit or deny paragraphs 4-12 of the motion.
3. The only piece of property that the Debtor claimed to own was 2920 Old Robinson Rd., Waco, TX. 76706. The attachments filed under the Motion for Relief From Stay [doc #62] states that on October 15, 2019, the Debtor executed a promissory note for \$181,000.00 as 500 N. 62nd Street, Waco, TX. 76710-5609. The property was not scheduled in the case as owned by the Debtor.
4. Upon information and belief, the Debtor may have inconsistent statements for 2019 and 2020. The creditor is alleging 500 N. 62nd Street, Waco, TX. 76710-5609 as a rent house, but there is no rental income listed on the Debtor's personal tax returns for 2018, 2019, or 2020.
5. On the 2021 tax return, the Debtor lists a business for selling jewelry but only lists \$350.00 in income and \$6,286.00 in losses. Continuing the business may have a negative effect on the ability to make Plan payments and appears to adversely effect creditors.
6. The Trustee asserts that creditors Sandra Baumgardner, Jose Guadalupe Lopez and wife, Maria C. Lopez were not scheduled in the Debtor's bankruptcy case.
7. Therefore, the Trustee requests that this Motion for Relief from Automatic Stay be set for hearing to examine the Debtor's conduct in not scheduling the property, not disclosing all her creditors, whether the tax returns have been properly filed and for such further relief as such may be proper in this case.

WHEREFORE, PREMISES CONSIDERED the Trustee requests that the Court deny the Motion of Sandra Baumgardner for Relief from Stay and Waiver of Thirty Day Requirement [doc #62].

Dated: May 12, 2023

Respectfully Submitted

/s/Ray Hendren

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**United States Bankruptcy Court
Western District of Texas
Waco**

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CERTIFICATE OF SERVICE

I, Ray Hendren, hereby certify that a true and correct copy of the attached document was served upon the following parties via electronic means as listed on the Court's ECF noticing system or by regular mail on **May 12, 2023**.

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